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28 October 1997

The Honorable Bill Thomas
Chairman
Committee on House Oversight
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I have been asked to respond to your letters to the Director of Central Intelligence dated 29 August 1997 (which we received on 11 September 1997) and 21 October 1997, concerning a proposal by the Director of the Center for Legislative Archives (CLA) to give Andrew N. Hall, an attorney representing James Earl Ray, access to House Select Committee on Assassinations (HSCA) materials concerning the Martin Luther King Jr. assassination.

The Director of the CLA has indicated that the Center's records relating to the King assassination may contain classified CIA information or CIA documents. As your letter suggests, CIA approval would be a precondition to making that or any other CIA-originated information available to the public. That same precondition would apply to making CIA information available to Mr. Hall to assist him in representing Mr. Ray. Accordingly, as outlined more fully below, we must, at present, object to the CLA Director's proposal to show any such CIA material to Mr. Hall.

Mr. Hall would have to have the proper security clearances to review any CIA material. Without the required security clearance, Mr. Hall would not meet the Presidentially prescribed requirements for access to classified information contained in Executive Order 12958. Please note that those access requirements apply regardless of the purposes motivating the request for access.

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The Honorable Bill Thomas

As a result, we must make two related requests if Mr. Hall wants to pursue this further. First, to the extent that CIA records have been identified as potentially responsive to Mr. Hall's request for access, the records would have to be made available to CIA for classification review under standard CIA procedures. Second, we would need additional background information on Mr. Hall, such as his date of birth and social security number, to see what, if any, clearances he has for access to classified national security information. If Mr. Hall has no current clearances and CIA concluded, based on its review of the materials in question, that some or all of the information must remain classified and is relevant to this request, Mr. Hall could apply for the necessary clearances.

In sum, CIA cannot agree to the CLA Director's proposal to provide Mr. Hall access to any classified CIA information including, but not limited to, CIA-originated documents, until CIA has reviewed and declassified the materials in question, or Mr. Hall has been cleared for access to classified information at the appropriate level, whichever comes first.

I regret that our response could not be more positive at this time. If you have any further questions, please do not hesitate to contact me, or Bill Carney of my staff; he can be reached at (703) 482-7046.

Sincerely,

John H. Moseman
Director of Congressional Affairs

The Honorable Bill Thomas

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